



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

Mr. Robert Arnold
Division Administrator
Federal Highway Administration
Leo O'Brien Federal Building, Rm. 719
Clinton Avenue & North Pearl Street
Albany, New York 12207

Dear Mr. Arnold:

Rating: LO

The Environmental Protection Agency (EPA) has reviewed the draft environmental impact statement (EIS) for the proposed NY Rt.112 Reconstruction from I-495 to NY 25 located in Suffolk County, New York (CEQ#20070124). This review was conducted in accordance with Section 309 of the Clean Air Act, as amended (42 U.S.C. 7609, PL 91-604 12(a), 84 Stat. 1709), and the National Environmental Policy Act. The purpose of the project is to provide for the existing and projected traffic demand on the 5.2 kilometer (3.2 mile) section of Rt. 112 between I-495 and NY 25.

The draft EIS examines two alternatives, a "best fit" and a no-build alternative. The "best fit" alternative has been identified as the preferred alternative and includes the reconstruction and widening of the existing two-lane facility to a five-lane roadway over the majority of the project length. The typical section between I-495 and NY 25 will comprise two travel lanes in each direction with center two way left turn travel lane and flush shoulder. At the location where the abutting properties are undeveloped and increased operating speed was observed, a raised, non-traversable median is proposed in lieu of the center two-way turn lane in order to eliminate unsafe and uncontrolled turning movements. The proposed project also includes realignment of the local street Middle Island Road to address safety concerns.

While EPA finds the draft EIS to be comprehensive, we would like to suggest the following for inclusion in the final EIS:

- As part of the storm water system, NYSDOT should investigate pre-treatment systems such as an oil-grit separator to remove total suspended solids and floatables from storm water and runoff prior to its discharge to the recharge basins.
- NYSDOT should consider including construction mitigation measures that could be implemented to reduce air pollution from the project in the final EIS. These might include cleaner fuels in construction equipment, deployment of clean diesel construction equipment through engine retrofits, rebuilds, or repowering, and the implementation of anti-idling practices at construction sites. The NYSDOT should also consider the inclusion of clean diesel specifications in the construction contracts for the projects.

As the project site is located in the Nassau-Suffolk Aquifer System, designated by the EPA as a Sole Source Aquifer on June 21, 1978 (43 FR 26611), EPA has also reviewed the project in accordance with Section 1424(e) of the 1974 Safe Drinking Water Act (SDWA) PL 93-523. Based on our review of the information provided, we do not anticipate that this project will result in significant adverse impacts to ground water quality. Accordingly, the project satisfies the requirements of Section 1424(e) of the Safe Drinking Water Act.

Based on our review, we do not anticipate that the proposed project would result in significant adverse environmental impacts. Therefore, in accordance with EPA policy, we have rated this project as LO, indicating that we do not object to its implementation.

Should you have any questions concerning our comments, please contact Lingard Knutson of my staff at (212) 637-3747.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "John Filippelli".

John Filippelli, Chief
Strategic Planning and Multi-Media Programs Branch

Enclosure - Summary

cc: M. Bocamazo, Regional Design Engineer, NYSDOT
W. Schraft, Area Engineer, FHWA

SUMMARY OF RATING DEFINITIONS AND FOLLOW-UP ACTION

Environmental Impact of the Action

LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommend for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1-Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analysis, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be **formally revised and made available for public comment** in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From: EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."